

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION
NO. 23-CR-070

UNITED STATES OF AMERICA

v.

APRIL EVALYN SHORT

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**MOTION FOR DISCLOSURE OF
EVIDENCE**

NOW COMES the Defendant, APRIL EVALYN SHORT (“SHORT”), by and through his undersigned attorney, and, pursuant to the Federal Rules of Criminal Procedure Rule 16, hereby moves that the Court order the Government to provide SHORT with discovery in this case. In support of this Motion, Defendant shows the Court the following:

In accordance with Federal Rules of Criminal Procedure, Rule 16 the Government must disclose upon request by the defendant:

- (a) Any and all oral statements made by the defendant, before or after arrest, in response to interrogation by a person the defendant knew was a government agent if the government intends to use the statement at trial. (Fed. R. Crim. P. 16(a)(1)(A)).
- (b) Any and all relevant written notice or recorded statement by the defendant if the statement is within the government’s possession, custody, or control and the attorney for the government knows or through due diligence could know, that the statement exists. Any and all portions of any written record containing the substance of any relevant oral statement made before or after arrest if the defendant made the statement in response to interrogation by a person the defendant knew was a government agent. (Fed. R. Crim. P. 16(a)(1)(B)).

- (c) The Defendant's prior criminal record that is within the government's possession, custody, or control if the attorney for the government knows or through due diligence could know that the record exists. (Fed. R. Crim. P. 16(a)(1)(D)).
- (d) Any and all documents and objects if the item is material to preparing the defense, if the government intends to use the item in its case-in-chief at trial, or the item was obtained from or belongs to the defendant. (Fed. R. Crim. P. 16(E)).
- (e) A written summary of any testimony that the government intends to use under Rules 702, 703, or 705 of the Federal Rules of Evidence during its case-in-chief at trial. (Fed. R. Crim. P. 16(G)).

WHEREFORE, for the above-stated reasons, Defendant APRIL EVALYN SHORT moves the Court to order the Government to make the above-described disclosures.

Respectfully submitted, this 1st day of May, 2024.

/s/ J. Pete Theodocion

J. Pete Theodocion
Attorney for Defendant

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CERTIFICATE OF SERVICE

I hereby certify that on May 1, 2024, I electronically filed the foregoing **MOTION FOR DISCLOSURE OF EVIDENCE** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all interested persons.

/s/ J. Pete Theodocion

J. Pete Theodocion
Attorney for Defendant

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